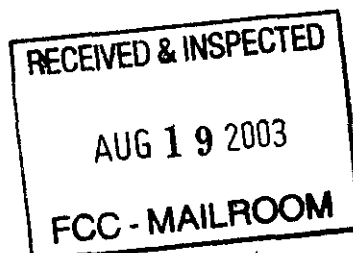




August 15, 2003
Letter of Appeal

Federal Communications Commission
Office of the Secretary
9300 East Hampton Drive
Capitol Heights, MD 20743



Reference: CC Docket Nos. 96-45, 97-21
CC Docket No. 02-06

Application: Nos. 323561, 321541, 307404, 321280
Funding Year 2002-2003

Billed Entity: 122994

Dear Sir/Madam:

This letter stands as a formal appeal for the above 471 applications. I have already appealed to the SLD without relief.

The appeal is based on the following:

1. SLD Appeal Department informed us that we need to appeal to the FCC because of time constraints. SLD said they could not consider appeal. FCC would have to consider appeal.
2. Originally, we received the blue cards from SLD denying our 471 applications for July 1, 2002 on January 9, 2003 although the window date said November 22, 2002.
 - a. It seems that something as important as this should be sent regular mail as all other SLD communications are sent.
 - b. These cards were not delivered in a timely manner. As it was we received it with all the bulk mail we receive on a daily basis.
3. If this is time sensitive then it should be given the same consideration as all other SLD correspondence.
 - a. We sent out our appeal by January 24, 2003 which is three weeks after we received the notice.
 - b. We did not have the 60 days that is provided. We had 15 days.

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4. The original SLD denial occurred because according to SLD we had not met the original 75 day window deadline.
 - a. We did meet it and had proof of it.
 - b. In fact, the reason I sent the appeal was because I questioned it with an SLD service representative who concurred that it was sent in a timely manner.
 - c. The representative is the one who advised me to send the appeal.
5. Although SLD received our appeal on January 25, 2003, we did not receive correspondence until July 7, 2003. I ask that we be given time consideration as SLD allows for itself.

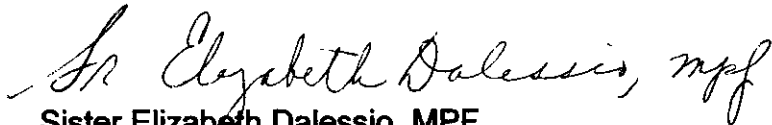
Finally and most importantly, we are an ESC that deals with students with special needs from eighty-eight public school districts in two counties. Funding opportunities are very important to us.

I am enclosing the original SLD appeal and the entire application for each 471 form attached to each of the respective Certification and signature letters:

Please feel free to contact me by e-mail or at 732.389.5555 X1045 if you have any questions or concerns.

Thank you for your consideration and immediate attention to these matters.

Sincerely,



Sister Elizabeth Dalessio, MPF
Assistant Superintendent of Programs
E-mail: edalessio@moesc.org



**APPEAL LETTER
2002-2003
YEAR FIVE**

January 23, 2003

Letter of Appeal
Schools and Libraries Division
Box 125 – Correspondence Unit
80 South Jefferson Road
Whippany, NJ 07981

RE: 471 Application Numbers:
321280
321541
307404
323561

Dear Sir or Madam:

This letter stands as a formal appeal for the above 471 application numbers:

The appeal is based on the following.

1. The 471 applications were submitted within the window and before 11:59 p.m. January 17, 2002.
2. The signature letters were sent in accordance with SLD specifications on January 18, 2002. (See attached FedEx bill)
3. I called three times during the summer asking for an update and was told that not all the waves were complete.
4. I received blue cards on January 9, 2003 stating that the 471 form was submitted after the 11:59 P.M. EST, January 17 window close. (N.B. Postmarked November 22 but not received in this office until January 9, 2003)
 - a. Three Certification and signature letters have computer generated date stamps of January 16, 2002 (Copies attached)
 - b. One Certification and signature letter has computer generated date stamp date of January 17, 2002 (Copy attached)

In addition to the above stated items, I am enclosing the entire application for each 471 form attached to each of the respective Certification and signature letters.

Thank you for your consideration and immediate attention to these matters.

Sincerely,

Sister Elizabeth Dalessio, MPF
Assistant Superintendent of Programs
E-mail: edalessio@moesc.org

**DOCUMENT AVAILABLE
IN THE LEAD
DOCKET/RULEMAKING**

SEE DOCKET NO. *96-45* FOR THE DOCUMENT.